

Exhibit E

Exhibit E



Linda F. Callison
(650) 843-5357
callisonlf@cooley.com

VIA EMAIL

April 23, 2008

J. Scott Carothers, Esq.
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Aaron R. Feigelson, Esq.
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza, Suite 4900
Chicago, IL 60601-6731
afeigelson@leydig.com

Re: In re Katz Interactive Cal Processing Litigation
Ronald A. Katz Technology Licensing, L.P. v. Aetna, et al. (Aetna)

Dear Scott and Aaron:

We are in receipt of your responses to Katz's interrogatories and RFAs. This letter requests a meet-and-confer to discuss the deficiencies in your responses. In particular we want to discuss the following issues:

- Why the phase "otherwise denied" is included at the end of each of your responses to our requests for the authentication of Aetna documents. It is not clear what it is that Aetna is denying. We ask this language to be removed.
- The basis for your response to RFA No. 2 that you cannot identify 'with reasonable particularity' the documents that you attached to your February 21, 2008 letter to me. As you selected, attached and transmitted the documents, we do not believe this is a reasonable objection.
- The failure to admit or deny our RFAs as framed. We do not consider it proper for you to restate and then "admit" an entirely different request. Each of your responses to the RFAs suffers from this problem and needs to be replaced with a proper admission or denial. In addition, we need, pursuant to Interrogatory No. 25, to understand the factual basis for your "otherwise denied" language at the end of each of these interrogatories. Finally, we do not believe your objection 2(g) is proper in that there are clearly aspects of the accused "PharmaCare" system, such as the use of prescription refill numbers, that Aetna has direct knowledge of.
- The bare citation to documents, which do not contain all of the information asked for, in response to Interrogatory No. 24.



J. Scott Carothers, Esq.
Aaron R. Feigelson, Esq.
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I am available by phone tomorrow at 9 a.m., noon, or between 3 and 5 p.m. (PDT) tomorrow, as well as 9 a.m. to 1 p.m. on Friday. Alternatively, Phil Morton is available to meet and confer in person after the deposition on Friday.

Sincerely,

Cooley Godward Kronish LLP

A handwritten signature in black ink that reads "Linda F. Callison".

Linda F. Callison

LFC:nk

cc: leydig-katz@leydig.com
akllp-katz@andrewskurth.com

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